IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 3RD OCTOBER 2006 / 11TH ASWINA 1928

Bail Appl..No. 5561 of 2006()

CRIME NO.171/2006 OF KAREELAKULANGARA POLICE STATION
CMP.1370/2006 of J.M.F.C., HARIPAD

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PETITIONERS/ACCUSED 2, 6 AND 7

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1. ANIL KUMAR @ RETNAN,
S/O.PRABHAKARAN, CHAPRAYIL HOUSE,KARUVATTUMKUZHY MURI, KEERIKKAD VILLAGE.

2. RADHAKRISHNAN, AGED 31 YEARS,
S/O.PRABHAKARAN, GOKULAM VEEDU,
(FROM CHAPRAYIL VEEDU, KARUVATTUMKUZHY MURI, KEERIKKAD VILLAGE.

3. PRAMOD, AGED 30 YEARS,
S/O.SUKUMARAN, CHAPRAYIL KIZHAKKATHIL,
KARUVATTUMKUZHI MURI, KEERIKKAD VILLAGE.

BY ADV. SRI.M.K.DAMODARAN (SR.)
SRI.B.RENJITHKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
(S.H.O., KAREELAKULANGARA POLICE STATION,
ALAPPUZHA DISTRICT), REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2006, ALONG WITH B.A.NO.5897/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. Nos.5561/2006 and 5897/2006

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Dated this the 3rd day of October, 2006

O R D E R

The petitioners in B.A.No.5561/2006, are accused Nos.2, 6 and 7, in Crime No.171/2006 of Kareelakulangara Police Station, for the offence punishable under Sections 143, 147, 148, 332, 333, 506(ii) and 307 I.P.C., read with Section 149 of the Indian Penal Code and also under Section 3(1) of the Prevention of Damages to Public Property Act. The petitioners were arrested on 04/08/2006.

2. The petitioner in B.A.No.5897/2006, is the first accused, of the same crime. He was also arrested on the same day. Hence, all the petitioners are before this Court for bail.

3. I heard the arguments advanced by both sides.

4. The learned Public Prosecutor submits that the first accused is also facing the trial for an offence under Section 302 I.P.C. It is also submitted by the prosecution that the release of the petitioners would be against the interest of the

prosecution case, because of their antecedents and other activities.

5. The petitioners are in judicial custody for 60 days. In the above fact situation, I grant bail to the petitioners and release them from jail, imposing the following conditions:-

i. Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the Judicial Magistrate of the First Class-I, Haripad.

ii. The petitioners shall report before the Investigating Officer, once in a week, on every Monday, between 10 a.m and 11 a.m, for a period of four months, starting from 09/10/2006 and thereafter, on the first working day of every month, between the same timings, till the final trial and disposal of the sessions case.

iii. The petitioners shall not interfere with the further investigation or tamper with the evidence, influence or threaten

the witnesses, or cause any hindrance to the smooth conduct of the prosecution case.

iv. The petitioners shall not indulge in any criminal activities, while on bail, in this case.

v. The petitioners shall not leave the State of Kerala, till the final trial and disposal of the sessions case.

The applications are accordingly, closed.

(J.M.JAMES)
Judge

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